

**Agenda Item
Land Board Meeting
November 20, 2006**

TRANSFER OF NON-TRUST PROPERTY

Proposal: The Department of Transportation (MDT) has requested from the Department of Environmental Quality (DEQ) the transfer of a 22.130-acre parcel of land near the Anaconda Interchange on Interstate 90 in accordance with 77-2-302(b), MCA, for use as a rest area facility.

Background: This parcel (see attached map) is part of a larger property that was transferred to DEQ as part of the 1998 natural resource damages settlement with ARCO and is being remediated by DEQ as part of the Streamside Tailings Operable Unit. MDT, DEQ, the State Natural Resource Damages Program (NRDP), Anaconda-Deer Lodge County, and the Greenway Service District entered into a Memorandum of Understanding regarding the possible transfer and use of this property in April 2003. Confirmation sampling in this area has been conducted and confirmed that the cleanup requirements established for the Streamside Tailings Operable Unit have been met. DEQ has determined that no further cleanup is necessary for this parcel. However, DEQ may conduct additional actions on or near the property to ensure full establishment of vegetation.

Public Involvement: This transaction is an agency to agency transfer and as such does not require any legal notices or public involvement.

Transfer Deed Restrictions:

1. Retain access to and across the property for DEQ and NRDP for purposes of implementing and maintaining remedial and restoration actions, including any actions or uses that are approved through NRDP's restoration grant process;
2. If property ceases to be used by MDT as a rest area facility, title to the property will revert to DEQ.

Agency Recommendation:

The Director of DEQ recommends approval of this proposed transfer as requested by MDT.

[illegible]

PURPOSE: CREATION OF RIGHT OF WAY FOR FUTURE
REST AREA FOR THE MONTANA DEPARTMENT
OF TRANSPORTATION








ROBERT PECCA & ASSOCIATE
829 CUSTER AVE.

MONTANA DEO 68
2X 147 PAGE
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EXAM






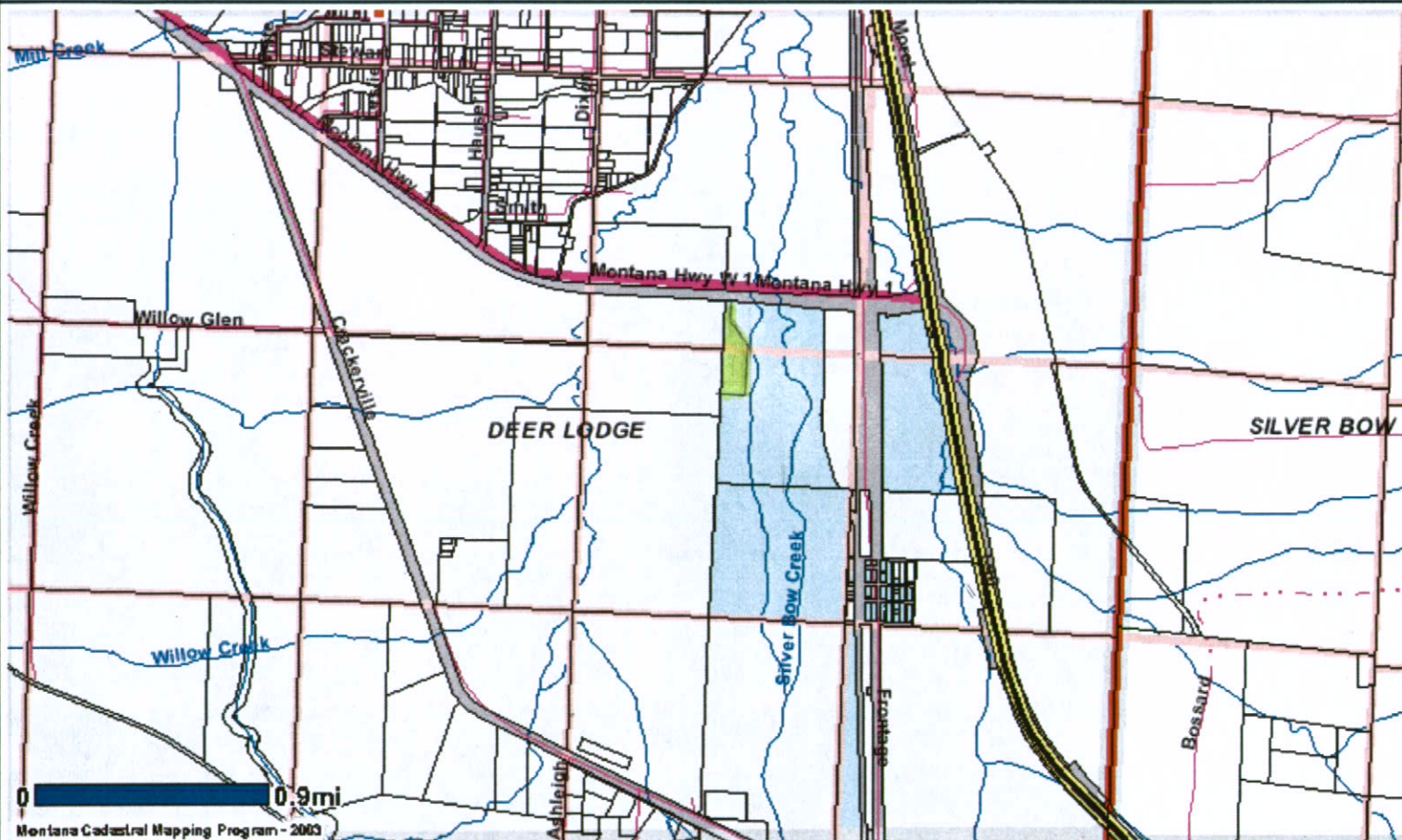
Montana's Official State Website

MONTANA CADASTRAL MAPPING

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Montana Cadastral Mapping Program - 2003

Layers **Legend**

Layers

☒ Parcels

☒ Roads

☒ GCDB Township

☒ GCDB Section

☒ 100K Township

☒ Streams

☒ City



☒ County




☒ Ownership



☐ Aerial Photography

Refresh Map

Quick Zoom

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Zoom To A County  

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